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PATENT
Customer No. 22,852
Attorney Docket No. 09812.0743-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Shuki MIZUTANI, <i>et al.</i>)	Group Art Unit: Not Yet Assigned
)	
Application No.: 10/522,277)	Examiner: Not Yet Assigned
)	
Filed: January 24, 2005)	
)	
For: FACTOR TAKING PART IN)	Confirmation No.: 5951
TRANSCRIPTION CONTROL)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on attached Form PTO/SB/08. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. Copies of the listed non-patent literature documents are attached.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making an appropriate notation on this form.

The following is a concise statement of relevance of the non-English language documents:

1. Laboratory Manual for Genetic Engineering, 3rd compiled by M. Maturura, issued by Maruzen Co., Ltd. (1996), pp. 242-246, discloses the use of Baculovirus in

production of proteins with the help of insect or mammalian cells. (*Specification*, p. 15, line 4).

2. Niitsu, Y et al., *Molecular Medicine* 35:1385-1395 (1998) discloses examples of vectors including cationic ribosome, ligand-DNA complex, and gene gun. (*Specification*, p. 16, line 3.).

3. *Tactics of SNP Gene Variation*, by Kenichi Matsubara and Yosiyuki Sakaki, published by Nakayama Shoten, p. 128-135 describes DNA array technology.

An English summary is included with these non-English language documents:

1. Noda K. et al., "Gan to kagaku chiryou hou (Cancer and its chemical therapy)", 21, 1633 (1994). (See last page of document).

2. Ogawa I. et al., "Gan to kagaku chiryou hou (Cancer and its chemical therapy)", 10, 2403 (1983). (See last page of document).

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

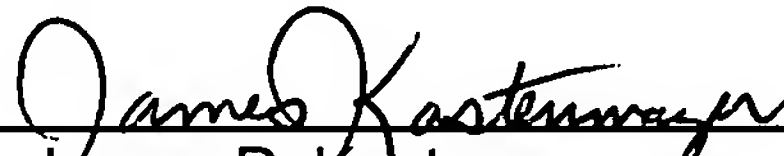
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: June 28, 2007

By: 
James P. Kastenmayer
Reg. No. 51,862

Complete if Known

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

1

of

3

Application Number

10/522,277

Filing Date

January 24, 2005

First Named Inventor

Shuki MIZUTANI, ET AL.

Art Unit

Examiner Name

Attorney Docket Number

09812.0743-00

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

Examiner Initials	Cite No. ¹	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US-2005/069986 A1	03-31-2005	Mizutani <i>et al.</i>	
		US-			
		US-			
		US-			
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		US-			
		US-			

Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		WO 01 07471	02/01/01	Hillman <i>et al.</i>		
		WO 01/60855	08/23/01	Gu <i>et al.</i>		
		WO 01/64834	09/07/01	Tang <i>et al.</i>		
		WO 99/58559	11/18/99	Gatanga <i>et al.</i>		
		WO 00/58473	10/05/00	Shimkets <i>et al.</i>		

NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation ⁶
		Altschul, S. et al. J. Mol Biol. 215: 403-410 (1990); "Basic Local Alignment Search Tool"	
		Avantaggiati, M.L. <i>et al.</i> Cell 89:1175-1184 (1997); "Recruitment of p300/CBP in p53-Dependent Signal Pathways"	
		BANIAHMAD, A., et al., "A transferable silencing domain is present in the thyroid hormone receptor, in the v-erbA oncogene product and in the retinoic acid receptor," EMBO Journal, 11(3), 1015-23 (1992)	
		BAUDINO, T.A., et al., "Isolation and Characterization of a Novel Coactivator Protein, NCoA-62, Involved in Vitamin D-mediated Transcription," J. Biol Chem 273(26), 16434-41 (1998)	
		Borrow, J. et al., Nature Genet., 14:33-41 (1996); "The Translocation t(8;16)(p11;p13) of Acute Myeloid Leukaemia Fuses A Putative Acetyltransferase To The CREB-Binding Protein"	
		Bowie et al Science, 247: 1306-1310 (1990)	
		Chaffanet, M. et al., Genes Chromosomes Cancer, 28:138-144 (2000); "MOZ Is Fused To p300 In An Acute Monocytic Leukemia With t(8;22)"	
		Elbashir SM., et al. Nature, 411: 494-498 (2001); "Duplexes of 21-Nucleotide RNAs Mediate RNA Interference In Cultured Mammalian Cells"	
		Fan, S.J., et al. Cancer Res., 54: 5824-5830 (1994); "p53 Gene Mutations Are Associated With Decreased Sensitivity Of Human Lymphoma Cells to DNA Damaging Agents"	
		Fondell, J.D., et al., "Unliganded thyroid hormone receptor inhibits formation of a functional preinitiation complex: implications for active repression," Genes & Develop., 7(7), 1400-10 (1993)	
		Fujiwara, et al. Cancer Res., 54, 2287-2291 (1994); "Induction of Chemosensitivity In Human Lung Cancer"	

<p>IDS Form PTO/SB/08: Substitute for form 1449A/PTO</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p>(Use as many sheets as necessary)</p>				Complete if Known	
				Application Number	10/522,277
				Filing Date	January 24, 2005
				First Named Inventor	Shuki MIZUTANI, ET AL.
				Art Unit	
				Examiner Name	
Sheet	2	of	3	Attorney Docket Number	09812.0743-00

NON PATENT LITERATURE DOCUMENTS			
		Cells in Vivo By Adenovirus-mediated Transfer of the Wild-Type p53 Gene"	
		Gayther, S.A. et al., Nature Genet., 24:300-303 (2000); "Mutations Truncating The EP300 Acetylase In Human Cancers"	
		Hirososawa et al "TITLE" DNA Research, 6:329-336 (1999).	
		Ida, K. et al., Blood, 90:4699-4704 (1997); "Adenoviral E1A-Associated Protein p300 Is Involved In Acute Mayeloid Leukemia With t(11;22)(q23;q13)"	
		Karlin and Altschul Proc. Natl. Acad. Sci. Proc. Natl. Acad. Sci. USA 90:5873	
		Karlin and Altschul Proc. Natl. Acad. Sci. USA 87:2264	
		Kitabayashi, I., et al., Leukemia, 15:89-94 (2001); "Fusion Of MOZ Histone Acetyltransferases In Acute Monocytic Leukemia With A t(8;22)(p11;q13) Chromosome Translocation"	
		Laboratory Manual for Genetic Engineering, 3 rd compiled by M. Maturura, issued by Maruzen Co., Ltd. (1996), pp. 242-246.	
		LAMB, J.R., et al., "Tetratrico peptide repeat interactions: to TPR or not to TPR?," Trends Biochem Sci 20(7), 257-9 (1995)	
		Lill, N.L. et al. Nature 387:823-827 (1997); "Binding And Modulation Of p53 By p300/CBP Coactivators"	
		Lowe, S.W., et al. Cell 74: 954-967 (1993); "p53-Dependent Apoptosis Modulates The Cytotoxicity Of Anticancer Agents"	
		Lowe, S.W., et al. Science 266: 807-810 (1994); "p53 Status And The Efficacy Of Cancer Therapy In Vivo"	
		Macdonald, P.N., et al., "Vitamin D receptor and nuclear receptor coactivators: crucial interactions in vitamin D-mediated transcription," Steroids 66(3-5), 171-6 (2001)	
		Molecular Cloning 3rd Ed, Chapter 2, pp. 2.1	
		Molecular Cloning 3rd Ed, Chapter 8, pp.8.1	
		Molecular Cloning 3rd Ed, Chapter 8, Protocol 8, pp. 8.46	
		Nakatsu, et al., "XAB2, a Novel Tetratricopeptide Repeat Protein Involved in Transcription-coupled DNA Repair and Transcription," Journal Biological Chem., 275:34931-34937 (2000)	
		Hacia et al. Nature Genetics (1999)22: 164	
		Niitsu, Y et al., Molecular Medicine 35:1385-1395 (1998); "Cancer Gene Therapy"	
		Niles R.M. Nutrition 16(11-12), 1084-9 (2000)	
		Noda K. et al., "Gan to kagaku chiryou hou (Cancer and its chemical therapy)", 21, 1633 (1994); "Etoposide 21"	
		Ogawa I. et al., "Gan to kagaku chiryou hou (Cancer and its chemical therapy)", 10, 2403 (1983); "VP-16-213 Phase I Study"	
		Okuno, M. et al., Front Biosci 7, 204-18 (2002)	
		Panagopoulos, I. et al., Hum. Mol. Genet., 10:395-404 (2001); "Fusion Of The MORF and CBP Genes In Acute Myeloid Leukemia With The t(10;16)(q22;p13)"	
		Patel, et al. Biotechnology Letters, 24: 657-62 (2002).	
		Rebecca Smith et al. "The tetratricopeptide repeats of Ssn6 interact with the homeo domain of alpha 2," Genes Dev. 9:2903-10. (1995).	
		Riecken E.O. and Rosewicz S. 10 Suppl 4, 197-200 (1999)	
		Satake, N. et al., Genes Chromosomes Cancer, 20:60-63 (1997); "Novel MLL-CBP Fusion Transcript In Therapy-Related Chronic Myelomonocytic Leukemia With A t(11;16)(q23;p13) Chromosome Translocation"	
		Schmutzler C. and Kohrle J. Tyroid 10(5), 393-406 (2000)	
		Scolnick, D.M. et al., Cancer Res., 57:3693-3696 (1997); "CREB-Binding Protein And p300/CBP-Associated Factor Are Transcriptional Coactivators Of The p53 Tumor Suppressor Protein"	
		Seo S et al "Regulation of Histone Acetylation and Transcription by INHAT, a Human Cellular Complex Containing the Set Ocprotein, Cell, 104:119-30 (2001).	
		Shikama, N. et al., Mol. Cell, 4:365-376 (1999); "A Novel Cofactor For p300 That Regulates The p53 Response"	

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				Examiner Name	
Sheet	3	of	3	Attorney Docket Number	09812.0743-00

NON PATENT LITERATURE DOCUMENTS			
		Sobulo, O.M. et al., Proc. Natl. Acad. Sci. USA, 94:8732-8737 (1997); "MLL Is Fused To CBP, A Histone Acetyltransferase, In Therapy-Related Acute Myeloid Leukemia With a t(11;16)(q23;p13.3)"	
		Tactics of SNP Gene Variation, by Kenichi Matsubara and Yosiyuki Sakaki, published by Nakayama Shoten, p. 128-135	
		Taki, T. et al., Blood, 89:3945-3950 (1997); "The t(11;16)(q23;p13) Translocation In Myelodysplastic Syndrome Fuses The MLL Gene To The CBP Gene"	
		Zhang D. et. al., J, Cell Physiol 185(1), 1-20, (2000)	
		Zhang, K., et al., "The <i>crooked neck</i> gene of Drosophila contains a motif found in a family of yeast cell cycle genes," Genes Dev 5(6), 1080-91 (1991)	

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.